

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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VICTOR ROBINSON,

Plaintiff,

v.

R. EDWARDS, MATTHEW SCULLION,  
DANE ESSER, SGT. SAYLER, LEBBEUS BROWN,  
ANTHONY BROADBENT and JANE DOE,

Defendants.  
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ORDER

20-cv-28-bbc

Pro se plaintiff Victor Robinson, who is incarcerated at the Waupun Correctional Institution, is proceeding on Eighth Amendment and state law negligence claims against defendants Anthony Broadbent, Lebbeus Brown, Sayler, R. Edwards, Matthew Scullion and Dane Esser and a First Amendment access to courts claim against defendant Jane Doe. Before the court are plaintiff's July 14, 2020 motion to compel the name of the Jane Doe defendant, dkt. #17, and motion for extension of time to submit exhibits in support of that motion, dkt. #19. The motions will be denied.

Plaintiff's discovery request is dated July 4, 2020, only 10 days before he filed his motion to compel. Defendants have 30 days from the date on which the discovery request was served to respond. Fed. R. Civ. P. 34(b)(2)(A). In this case, it appears that plaintiff did not mail his first set of discovery until July 8, 2020, meaning that defendants' response was not due until early August, at the earliest. Therefore, plaintiff's motion to compel is premature.

If plaintiff has any further problems related to discovery, he should first contact

defense counsel to attempt to resolve the issue without the court's intervention. If the parties are unable to resolve the issue on their own after making a good faith effort to do so, plaintiff may file a motion to compel at that time.

ORDER

IT IS ORDERED that plaintiff Victor Robinson's motion to compel, dkt. #17, and motion for an extension of time within which to file exhibits, dkt. #19, are DENIED.

Entered this 18th day of August, 2020.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge